

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KHM,

Plaintiff,

vs.

NORTH AMERICAN MIDWAY  
ENTERTAINMENT, LLC,

Defendant.

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Civil Action No.  
14-CV-11813

Honorable Patrick J. Duggan

**ORDER OF DISMISSAL WITHOUT PREJUDICE**

This lawsuit was filed on May 6, 2014. On May 12, 2014, the Court issued a show cause order requiring Plaintiff to file an amended complaint because she failed to state the basis for federal court jurisdiction in her original complaint, as required by Federal Rule of Civil Procedure 8(a). Cognizant that Defendant is a limited liability company, the Court reminded Plaintiff in the show cause order: “[I]f the basis for jurisdiction is diversity of citizenship, she must state the citizenship of each of Defendant’s members and sub-members. *See Delay v. Rosenthal Collins Group, LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009).” Page ID 19. The Court further warned: “Failure to comply with this order will result in the dismissal of this case for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(h)(3).” *Id.*

Plaintiff filed her amended complaint on May 14, 2014, asserting diversity jurisdiction under 28 U.S.C. § 1332. However, despite the Court’s reminder, Plaintiff did not state the citizenship of each of Defendant’s members and sub-members. Therefore, this case is dismissed without prejudice for lack of subject matter jurisdiction. *See Fed. R. Civ. P. 12(h)(3).*

**SO ORDERED.**

Dated: May 21, 2014

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE